

Patrick Coughlin  
patc@rgrdlaw.com

December 18, 2019

VIA ECF

The Honorable Paul A. Engelmayer  
United States District Court  
Southern District of New York  
Thurgood Marshall U.S. Courthouse  
40 Foley Square  
New York, NY 10007

Re: *In re Aluminum Warehousing Antitrust Litigation*,  
No. 13-MD-2481-PAE (S.D.N.Y.)

Dear Judge Engelmayer:

On behalf of the First Level Purchaser Plaintiffs (“FLPs”), I respectfully submit this letter, pursuant to Rules 1.A. and 3.E. of Your Honor’s Individual Rules and Practices in Civil Cases. FLPs are filing today a complete set of their Sur-Reply class briefing (including the redacted filings approved of by Your Honor on December 17, 2019 (ECF No. 1190)) on the public docket.<sup>1</sup>

We are also transmitting courtesy copies of the Corrected Sur-Reply Report of Christopher L. Gilbert, Ph.D., dated December 16, 2019 (“Corrected Gilbert Report”) and the [Corrected] FLPs’ Response to Defendants’ Sur-Reply in Opposition to the FLPs’ Motion for Class Certification, dated December 18, 2019 (“FLPs’ Corrected Response”). *See* Exhibits A and B, respectively. This is meant to supersede FLPs’ Response to Defendants’ Sur-Reply in Opposition to the FLPs’ Motion for Class Certification (ECF No. 1188), filed December 16, 2019; and the Sur-Reply Report of Christopher L. Gilbert, Ph.D. (ECF No. 1178-1), filed December 5, 2019.

The Corrected Gilbert Report fixes small computational errors and a date error, all of which appear on page 7. *See* Exhibit C (redline comparing the original and corrected versions). These corrections, do not change Dr. Gilbert’s ultimate conclusions. In addition, FLPs’ Corrected Response fixes a small typographical error on page 6 (deleting the words “back in a”). *See* Exhibit

---

<sup>1</sup> The parties agreed that FLPs would withdraw the Declaration of Jorge Vazquez Serna (ECF No. 1178-2), dated December 5, 2019 (“Vazquez Declaration”) and are not re-submitting it with today’s filings, but have not redacted or added citations to paragraphs referring to the Vazquez Declaration in FLPs’ Sur-Reply brief as the parties agree it would be more confusing than helpful to the Court.

December 18, 2019

Page 2

D (redline comparing the original and corrected versions). Defendants do not object to the submission of these documents.

Respectfully,

s/ Patrick J. Coughlin

PATRICK J. COUGHLIN

PJC:sl

cc: All Counsel of Record via ECF